

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: To be assigned

Filing Date: To be assigned

Applicant: Leroy M. Edwards et al.

Group Art Unit: To be assigned

Examiner: To be assigned

Title: PASSIVE HYDROGEN VENT FOR A FUEL CELL

Attorney Docket: 8540G-000156 (GP-302738)

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were

previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. See the attached foreign patent office communication from a counterpart foreign application:

2. English translations are provided:

3. Other:

An English language abstract is provided for FR 2810795.

C. The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Art Unit</u>
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V. THIS IDS IS BEING FILED UNDER

A. **37 C.F.R. § 1.97(b):** (check only one box)

1. within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required.
4. before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. See the certification below. No fee is required.

C. **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or
- no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
- some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VI. PAYMENT OF FEES (check only one box)

A. A check in the amount of \$180.00 is enclosed for the above identified fee.

B. Please charge Deposit Account No. 07-0960 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 07-0960.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 07-0960.

Respectfully submitted,

Dated: February 5, 2003

By: 
Linda M. Deschere
Reg. No. 34,811

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MEH/kq

FORM HDP-1449 (Based on Form PTO-1449)		ATTORNEY DOCKET NO.	SERIAL No.
PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small>		8540G000156(GP302738)	
		To be assigned	
		APPLICANT	
Leroy M. Edwards et al.		FILING DATE	
		GROUP	
		To be assigned	
Sheet 1 of 3		To be assigned	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		RE37,284	07/17/2001	Li et al.		
2.		4,344,832	08/17/1982	Dahlberg		
3.		4,769,297	09/06/1988	Reiser et al.		
4.		5,108,849	04/28/1992	Watkins et al.		
5.		5,230,966	07/27/1993	Voss et al.		
6.		5,252,410	10/12/1993	Wilkinson et al.		
7.		5,264,299	11/23/1993	Krasij et al.		
8.		5,300,370	04/05/1994	Washington et al.		
9.		5,482,680	01/09/1996	Wilkinson et al.		
10.		5,514,487	05/07/1996	Washington et al.		
11.		5,521,018	05/28/1996	Wilkinson et al.		
12.		5,547,776	08/20/1996	Fletcher et al.		
13.		5,624,769	04/29/1997	Li et al.		
14.		5,641,586	06/24/1997	Wilson		
15.		5,663,113	09/02/1997	Midorikawa et al.		
16.		5,686,199	11/11/1997	Cavalca et al.		
17.		5,707,755	01/13/1998	Grot		
18.		5,769,909	06/23/1998	Bonk et al.		
19.		5,773,160	06/30/1998	Wilkinson et al.		
20.		5,776,624	07/07/1998	Neutzler		
21.		5,804,326	09/08/1998	Chow et al.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Sheet 2 of 3

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		5,846,668	12/08/1998	Watanabe		
23.		5,874,182	02/23/1999	Wilkinson et al.		
24.		5,928,807	07/27/1999	Elias		
25.		5,945,232	08/31/1999	Ernst et al.		
26.		5,981,098	11/09/1999	Vitale		
27.		6,054,228	04/25/2000	Cisar et al.		
28.		6,099,984	08/08/2000	Rock		
29.		6,146,779	11/14/2000	Walsh		
30.		6,159,626	12/12/2000	Keskula et al.		
31.		6,159,629	12/12/2000	Gibb et al.		
32.		6,174,616	01/16/2001	Marvin et al.		
33.		6,186,254	02/13/2001	Mufford et al.		
34.		6,261,710	07/17/2001	Marianowski		
35.		6,306,354	10/23/2001	Szydlowski et al.		
36.		6,309,773	10/30/2001	Rock		
37.		6,322,919	11/27/2001	Yang et al.		
38.		6,358,642	03/19/2002	Griffith et al.		
39.		6,360,835	03/26/2002	Skala		
40.		6,372,376	04/16/2002	Fronk et al.		
41.		6,376,112	04/23/2002	Clingerman et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		To be assigned	To be assigned
Sheet 3 of 3			

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		6,503,653	01/07/2003	Rock		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	Abstract	No
1.		FR 2810795	12/28/2001	France				
2.		WO 94/09519	04/28/1994	WIPO			N/A	
3.		WO 00/17952	03/30/2000	WIPO			N/A	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
1.		3M Novec Engineered Fluid HFE-8401HT, "A New Heat Transfer Fluid with Unique Heat Transfer Properties," pp. 1-7 (1999)

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.